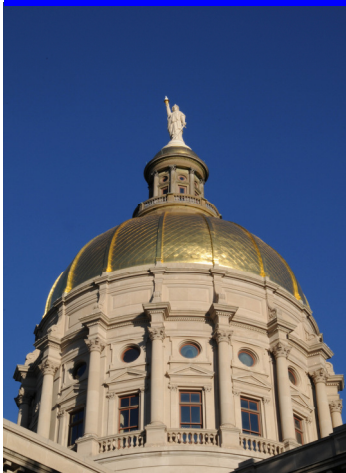


Upper Chamber Report

Natalie Strong, Deputy Press Director
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TOP STORY

Legislative Day 26: Online Voter Registration Passes after Much Debate

By Adam Sweat

CHAMBER (March 17, 2010) - Despite significant debate and unanimous opposition from the Democratic Caucus, Sen. Cecil Staton's (R-Macon) Online Voter Registration Bill passed by a vote of 33-20. Senate Bill 406

calls for the Department of Driver Services, in association with the Secretary of State, to implement an online voter registration system. Qualified voters with a valid Georgia driver's license or identification card will be eligible to use the new online program. In an effort to stop voter fraud, the system



Sen. Cecil Staton discusses Online Voter Registration Bill

will immediately verify the accuracy of the applicant's date of birth, driver's license number or identification card number, along with their citizenship status. Although two amendments were presented on the floor, they ultimately failed to gain enough support.

Sen. Vincent Fort (D-Atlanta) took the well to express his discontent with the bill. Fort referenced the databases that the Department of Driver Services will be using, noting that since their inception, these databases have proven to be faulty. A number of mistakes have been made in verifying citizenship through online entities.

Another controversial measure was voted on today; a Constitutional Amendment authored by Sen. Judson Hill (R-Marietta) that is aimed at protecting citizens' rights against mandated health care. Coined the Health Care Freedom of Choice Constitutional Amendment, the resolution would prohibit any law, rule or regulation from compelling any person, employer, or health care provider to participate in any health care system. Hill was careful to point out that the bill would not affect health care service providers or hospitals, nor would it affect which health care services are permitted by law. Senate Resolution 794 required a two-thirds majority vote to pass the Senate and House, and would then be put before voters on the November 2010 ballot. However, the vote was largely partisan, and with a final vote of 34-19 was unsuccessful in its attempt at passage. For more information on Health Care Freedom of

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Choice, see page 3.

The Senate's list of bills continues to grow longer each day as the chamber works toward passing out as many bills as possible before next week's Crossover Day, the deadline to move legislation from chamber to another. Several other pieces of legislation received support from both ends of the political spectrum, including another of Staton's bills, which authorizes the Georgia Board of Massage to conduct investigations into whether a person has violated the lawful practice of massage therapy. For more information on SB 364, see Page 4.

Sen. Dan Weber (R-Dunwoody), chairman of the Education and Youth Committee, sponsored SB 427, which creates the Georgia Foundation for Public Education. Passing with a unanimous vote, the bill establishes the foundation as a public, tax-exempt, charitable instrument of the state that will be able to solicit and accept financial contributions to support educational excellence in Georgia schools.

The term "junk" and "junk dealer" will be removed from Georgia law under SB 150, authored by Sen. David Shafer (R-Duluth). The bill also removes the \$1 registration charge levied on junk dealers, and prohibits probate courts from charging junk dealers \$10 for proceedings that concern junk dealers or their property passed. A bill to limit unfair and deceptive business practices was sponsored by Sen. Bill Jackson (R-Appling), which makes it unlawful for any non-local business to publish any advertisement in a local telephone classified advertising directory, unless the ad clearly states the business's location. Jackson previously explained in committee that this practice is commonly used by florists, who advertise a local address and phone number but are actually located elsewhere. The final two pieces of legislation that passed include Sen. Bill Hamrick's (R-Carrollton) SB 369, which revises provisions relating to investments by housing authorities and local governments by expanding the approved entities into which they may invest their funds. Sen. Ross Tolleson's (R-Perry) bill concerning land conservation programs also passed overwhelmingly, which seeks to redefine various terms in current law relating to land conservation.



Sen. Emanuel Jones (D-Decatur) sponsored two resolutions to honor some very special guests who were present in the chamber today. SR 1210 and 1211 recognize Paige Copeland and Todd McEarchern as Ms. and Mr. Special Henry County, who were honored for their positive impact on countless Georgians and raising public awareness of the amazing abilities of individuals with special needs. □

Sen. Judson Hill Continues Fight to Protect Georgians' Choices on Healthcare

By Matt Colvin

ATLANTA (Mar. 17, 2010) – State Sen. Judson Hill (R-Marietta) brought legislation before the Senate that allows Georgians a vote on the November ballot to protect their right to choice and freedoms with health insurance plans. The Health Care Freedom of Choice Constitutional Amendment (Senate Resolution 794), authored by Hill, would have allowed Georgia citizens the opportunity to decide whether or not to add an amendment to Georgia Constitution stating that no one in the state could be forced to purchase a healthcare plan against their will or be penalized for not doing so. All 34 Senate Republicans joined Hill in support of his measure, but with no Democrat support for SR 794, the resolution fell short of the two-thirds majority required to pass a Constitutional Amendment



Sen. Judson Hill presents his Health Care Freedom of Choice Constitutional Amendment to the Senate

“Today the Georgia Senate had the chance to give Georgians the opportunity to decide how best to protect their freedoms and liberties with their healthcare,” said Hill. “It is widely understood that state Constitutions may afford its residents greater liberties than the U.S. Constitution allows as our national policy should provide a floor, not a ceiling, for the rights of its citizens. I am disappointed my Democratic colleagues in the Senate chose not to let Georgia’s citizens vote in November to preserve their existing rights they have regarding their healthcare.”

Hill’s Amendment aimed to protect Georgia’s citizens from being forced into government-run health care or forced into purchasing health care they cannot afford. Existing private and government programs would not be affected by this legislation. Hill noted on the floor SR 794 will ensure every Georgian has the freedom to accept or reject any health care or health insurance plan. The Amendment would also prohibit any government from punishing an individual or business that does not participate in such a health plan, as well as protect health care providers from being forced to perform mandated medical procedures.

SR 794 was the latest in Hill’s efforts to provide Georgians with patient-centered health care measures and improve citizen’s access to affordable, accessible, high-quality health care and health insurance. Since the announcement of Health Care Freedom of Choice Constitutional Amendment last fall, Hill gained widespread support from Senate Republican leaders on this initiative and praised his commitment to healthcare protection.

“During my time as a state Senator I have worked hard to offer every Georgian free-market based solutions to improve Georgia’s healthcare system and to help make health insurance more affordable. Over the last few years our state has become a national health care reform leader. I will not let one vote deter me from continuing to fight for patient-centered health care measures improving citizen’s access to affordable, accessible, high-quality health care and health insurance,” said Hill.

The Senate motioned to reconsider SR 794, which could take place as soon as Thursday. The Senate convenes Thursday, March 18 at 2:00 p.m.

□

Sen. Ramsey Named to Juvenile Code Rewrite Subcommittee

By Katie Wright

ATLANTA (Mar. 17, 2010) – State Sen. Ronald Ramsey (D-Lithonia), a Georgia attorney, was recently named to the Senate Judiciary Juvenile Code Rewrite Subcommittee. This subcommittee is tasked with revising and updating the juvenile code to meet the needs of Georgia's children.

"I would like to thank Chairman Smith for appointing me to this important subcommittee," said Sen. Ramsey. "Through this body, I will continue to advocate

for the youth of this state so that our children will have the greatest opportunity for success despite the legal issues they may face. I hope that lawyers and citizens will contact me with suggestions for the code – your comments are valuable tools in ensuring the juvenile code meets the needs of Georgians."

The Senate Judiciary Juvenile Code Rewrite Subcommittee is discussing and analyzing Senate Bill 292, legislation to modernize juvenile proceedings in Georgia. The subcommittee is working with the Juvenile Law

Committee, a division of the State Bar of Georgia, which was approached in early 2004 with a request to take on the task of revising Georgia's Juvenile Code. The code lacked clarity and organization and it did not reflect research-based best practices. More importantly, the code did not meet the needs of the Juvenile Courts and the practitioners who serve those courts. The goal of

the revision project is to create a research-based, comprehensive, and well-organized model juvenile code for Georgia that reflects best practices in juvenile law.



Sen. Ramsey was first elected to the Georgia Senate from the 43rd District in 2006, while serving in his seventh term as municipal court judge in Stone Mountain. He represents citizens in portions of Dekalb and Rockdale counties. Sen. Ramsey serves on a number of influential committees, including Urban Affairs Committee, Judiciary, Insurance and Labor, Special Judiciary and State and Local Government. He lives in Lithonia with his wife Doris and their two children, Ronald, Jr. and Christyn. □

Senate Passes Staton's Penalty Increase for Illegal Massage Parlors

By Matt Colvin



ATLANTA (March 17, 2010) – The Georgia Senate joined with Sen. Cecil Staton (R-Macon) Wednesday at the State Capitol to help law enforcement officials stop suspected illegal activities at massage parlors and spas. The Senate unanimously passed Senate Bill 364, a measure Staton authored to give local police and prosecutors additional resources and provide for more severe penalties

by clearing up several loopholes in Georgia law. SB 364 was approved with a 51 to 0 vote.

"I want to thank my Senate colleagues for helping me pass this legislation which will be an invaluable resource for law enforcement and prosecutors around the state dealing with illegal activities at massage parlors," said Staton. "Local communities are in dire need of stronger penalties to effectively rid their towns of this type of criminal behavior. SB 364 provides officials a powerful arse-

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nal of legal charges so they can go after and shut down these illegal operations for good.”

SB 364 seeks to amend Georgia law by increasing the penalties for convictions including misdemeanor charges for the first offense, an aggravated misdemeanor for a second offense; and a third or subsequent offense will be a felony with imprisonment for one to 5 years and/or a \$25,000 fine per offense. In addition, spa owners and operators can also be held accountable if they are proven to be involved in illegal activities at massage parlors and spas. Under the proposed law, local governments could become more involved with the regulation of massage parlors in their area.

SB 364 now moves to the House of Representatives for consideration. If passed by the General Assembly and signed by Governor Sonny Perdue, SB 364 would go into effect either July 1 or immediately following the governor’s signature.

□

Science and Technology Committee Approves Bill to Fight Computer Fraud

By Matt Colvin

CLOB 307 (Mar. 17, 2010) – A bill to protect Georgia’s citizens from possible computer fraud overwhelmingly passed out of the Senate Science and Technology Committee Wednesday. Committee Chairman Cecil Staton (R-Macon) introduced Senate Bill 470, which he authored to require software developers of file sharing programs to install safeguards which would prevent users from tapping into private data files of another user’s computer and possibly download them illegally. The bill requires developers to add features to uninstall the software, allow users to actively turn on file-sharing options, and provide a warning when files are about to be downloaded by another user.



Staton mentioned that many of these free software programs that many people use to share music and video files have the potential for misuse by users to steal financial, corporate or military data outside of what was intended to be shared with public users. A top expert on computer fraud testified that these programs make any type of file available, while many times the adult users may not even know the software is installed by one of their children.

Sen. Bill Heath (R-Bremen) offered a substitute to the original bill that would make developers specify every time a file is being downloaded exactly what type of file is being accessed, so users have the ability to identify where other users are trying to access. The committee substitute was approved unanimously and now moves to the Rules Committee before consideration on the Senate Floor.

□

Higher Education Committee Fights for New HOPE Needs Based Grant

By Natalie Strong



MEZZ (March 17, 2010) - Sen. Jack Hill (R-Riedsville), chairman of the Appropriations Committee, went to bat for need-based students throughout Georgia by presenting his HOPE College Opportunity Grant Bill (SB 496) on Wednesday to the Higher Education Committee. Hill testified that this would be a “stay in college grant” based on the neediest students in Georgia. The grant would be based solely on need and not take into account academic performance. Hill noted that \$30 million in lottery funds are available to be set aside for this beneficial scholarship fund. Funding for the grant would be based on appropriations as well as how a specific student’s need might change over their higher education career. The committee supported the bill unanimously.

Sen. Jeff Chapman’s (R-Brunswick) resolution (SR 1145) also received unanimous approval from the committee. SR 1145 will urge the state Board of Technical and Adult Education to develop courses and pilot programs to train people in the field of ecological employment. The committee tabled two bills (SB 404 and 405), both authored by Sen. J.B. Powell (D-Blythe), which focused on military veterans issues within Georgia’s higher education system. SB 404 would establish guidelines for veterans receiving academic credit for courses whose requirements could be satisfied by their time in military service, and SB 405 would allow tuition payments by veterans to be deferred or paid in installments for military veterans when the accredited payee, such as the Veterans Administration, was late in payment. While the committee supported the purpose of each bill, Tom Daniels of the University System testified that these were not widespread problems and the University System would be committed to solving these problems, and supporting veteran students, on a case-by-case basis. □

Natural Resources and Environment Committee Takes on Hefty Load

By Natalie Strong

CAP 450 (March 17, 2010) - The Committee on Natural Resources and the Environment convened with a full schedule and a packed house on Wednesday. The committee got off to a quick and productive start by passing several bills unanimously onto the Rules Committee. Sen. Bill Heath (R-Bremen) presented his Federal Cap and Trade Resolution (SR 973), noting that natural planetary fluctuations are beyond human influence and may explain current global temperatures more accurately than greenhouse gases, pointing to a natural cycle of climate change. The resolution will urge Congress to use scientific fact as a prime indicator and cost-benefit analysis to weigh economic stability and environmental stewardship before any federal mandates are handed down.

The committee then rallied behind Sen. Don Thomas’ (R-Dalton) Bear Bill (SB 474), which will give Georgians the right to keep a bear or other road kill specified in the bill if the animal is killed, unintentionally, by their vehicle. Sen. Dan Weber (R-Dunwoody) received unanimous favor for his Water System Interconnection, Redundancy, and Reliability Act, that focuses on provisions for dealing with water loss during immediate emergencies and long range loss. The bill requires a detailed study be completed by the Georgia Environmental Facilities Agency to better prepare Georgia for any future loss in water, drastic or otherwise.

The committee turned its attention to more difficult matters, with Chairman Tolleson breaking ties on both issues. In response to SB 486, Chairman Tolleson’s Administrative Law Judges Deference Bill, passionate parties on both sides presented their findings to the committee. Those opposed to the bill stressed extreme discomfort in the fact that administrative law judges should be expected to rule without bias, and not by giving deference to the department representatives. Those for the bill felt strongly that science should be a prime factor in the judge’s decision making, including that department representatives who are the true expert witnesses. SB166, the Jekyll Island State Park Authority bill, also passed out of committee after having the second committee tie broken by Chairman Tolleson. Tolleson encouraged Sen. Jeff Chapman (R-Brunswick), who opposed the bill and Sen. Chip Pearson (R-Dawsonville), the bill’s author, to work together to strengthen the bill and work for the best interest of Jekyll Island. □

Legislative Process Dates

Important Dates in the Legislative Process

Introduction - Last day to file and/or 1st Read in Senate.

30th day - last day to introduce General Senate bills and resolutions (even year). [Rule 3-1.2 (b)]

30th day - last day to accept General House bills and resolutions. [Rule 3-1.2 (b)]

39th day - last day to introduce General Senate bills and resolutions (odd year). [Rule 3-1.2 (b)]

**Note: Senate bills and resolutions must be filed with the Secretary before 4:00 p.m. to be 1st read on the next legislative day.*

Deadlines for passage in current year

Committee Report Deadlines - Last day to read report. Report submitted to Secretary by convening.

28th day - General Senate bills and resolutions.

38th day - Local Senate bills and resolutions.

38th day - General House bills and resolutions.

40th day - Local House bills and resolutions.

Calendar Management

Calendar in numerical order after 2nd reading of legislation; days 1-5. [Rule 4-2.10 (a)]

Rules Committee sets the calendar for days 6 - 40. [Rule 4-2.10 (b)]

General Senate Bills and Resolutions

26th day - File with Secretary of the Senate. [Rule 3-1.2 (a)]

27th day - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

28th day - Committee report read upon convening. (A recommitted bill already 2nd read - report day 29.)

29th day - 2nd Reading. [Rule 4-2.6]

30th day - Passage [Rule 4-2.10 (a)] and immediate transmittal to House. [Rule 4-2.14]

Local Senate Bills and Resolutions

35th day - File with Secretary of the Senate. [3-1.2 (a)]

36th day - 1st Reading and referral to committee. (Cannot pass for 2 days.) [Rule 4-2.4 (c)]

38th day - Favorable report by committee, passage and immediate transmittal to the House. [Rule 4-2.14]

39th day - 2nd Reading in House.

40th day - Favorable report and passage in House.

General House Bills and Resolutions

30th day - Transmitted from House and received by Secretary.

31st day - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

38th day - Favorable report upon convening and 2nd reading. (Applies to days 36 - 38) [Rule 4-2.6]

39th day - Passage. [Rule 4-2.10 (a)]

40th day - Passage of bills or resolutions tabled day 39; removed from the table on day 40. [Rule 4-2.10 (a)]

Local House Bills and Resolutions

39th day - 1st Reading and referral to committee.

40th day - Favorable report by committee and passage.

** Note: On the 30th day and on the last three days of session, bills and resolutions needing action from the House are automatically immediately transmitted. [Rule 4-2.14]*

40th day - Passage of bills or resolutions tabled day 39; removed from the table on day 40. [Rule 4-2.10 (a)]